

## **9 FAM APPENDIX O, 400 ANNUAL BASIS OF REFUGEE ADMISSIONS PROGRAM**

*(CT:VISA-867; 03-20-2007)*

*(Office of Origin: CA/VO/L/R)*

### **9 FAM APPENDIX O, 401 PUBLIC-PRIVATE CONSULTIVE PROCESS**

*(CT:VISA-867; 03-20-2007)*

The Department of State consults public and private groups on refugee issues before formulating the President's specific refugee admission program proposal to the Congress for each fiscal year. The Bureau of Population, Refugees and Migration (PRM) coordinates closely on resettlement needs of refugees worldwide with other federal, state and local government agencies and the United Nations High Commissioner for Refugees (UNHCR). In addition to voluntary resettlement agencies that provide services to refugees, other refugee advocacy organizations and human rights groups contribute to the process of identifying refugee groups of concern and priorities for the next fiscal year.

### **9 FAM APPENDIX O, 402 ANNUAL REPORT TO CONGRESS**

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- a. The President reports annually to the Judiciary Committees of the House and Senate, estimating the number of refugees in need of resettlement in the United States during the next fiscal year and proposing regional allocation of refugee admissions, as directed by INA 207(d) and (e), 8 U.S.C. 1157(d) and (e). The Office of Admissions in the Bureau of Population, Refugees and Migration (PRM/A) is responsible for preparation of this report and for coordination with the Department of Homeland Security (DHS) and the Office of Refugee Resettlement in the Department of Health and Human Services (ORR/HHS). The following information must be provided to the Congress:

- (1) A description of the nature of the refugee situation;
  - (2) A description of the number and regional allocation of the refugees to be admitted and an analysis of conditions within the countries from which they came;
  - (3) A description of the proposed plans for their movement and resettlement and the estimated cost of their movement and resettlement;
  - (4) An analysis of the anticipated social, economic, and demographic impact of their admission to the United States;
  - (5) A description of the extent to which other countries will admit and assist in the resettlement of such refugees;
  - (6) An analysis of the impact of the participation of the United States in the resettlement of such refugees on the foreign policy interests of the United States; and
  - (7) Such additional information as may be appropriate or requested by members of Congress.
- b. See Bureau of Population, Refugees and Migration's (PRM's) Web site or contact PRM/A for copies of the most recent President's Report to the Congress.

## **9 FAM APPENDIX O, 403 CONGRESSIONAL CONSULTATIONS**

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Before the President can authorize the level of refugee admissions for the next fiscal year, designated Cabinet-level representatives of the President must personally meet with members of the Senate and House Judiciary Committees to discuss significant refugee situations and explain why the refugee admissions proposed in the President's Report to the Congress are in the national interest. (See INA 207(e), 8 U.S.C. 1157(e).)

## **9 FAM APPENDIX O, 404 ANNUAL PRESIDENTIAL DETERMINATIONS**

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After appropriate consultations between Cabinet-level representatives of the President and members of the Senate and House Judiciary Committees, the President establishes the specific regional ceilings for the refugee admissions program for the new fiscal year. (See INA 207(a).) The Office of Admissions in the Bureau of Population, Refugees and Migration (PRM/A) notifies posts by cable when the President signs the determination. No refugee may be admitted to the U.S. at the beginning of a fiscal year until the determination is signed.

## **9 FAM Appendix O, 404.1 Geographic Ceilings for Annual Admissions**

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The President sets the maximum number of refugees to be admitted during the fiscal year and allocates that number among geographic regions. Refer to the PRM Web site for current regional allocations. (See also 9 FAM Appendix O, 404.4 Changes during Fiscal Year.)

## **9 FAM Appendix O, 404.2 Annual Refugee Processing Priorities**

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The priority system sets administrative guidelines to manage and process refugee applications for admission to the United States. The President's Report to the Congress identifies criteria for each priority during that fiscal year. (See PRM's Web site for current processing priorities outlined in the Report to the Congress.) For further discussion of groups and nationalities, see the current President's Report to the Congress, also available on PRM's Web site.

## **9 FAM Appendix O, 404.3 Annual Authority for In-Country Processing**

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Under INA 101(a)(42)(B), the President may specify that special circumstances exist to allow processing of particular individuals as refugees inside their countries of nationality or residence. Refer to the PRM Web site for the list of nationalities currently designated for in-country processing in the Report to the Congress.

## **9 FAM Appendix O, 404.4 Changes in the Ceiling during Fiscal Year**

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The President may approve changes to the annual refugee ceiling if the President determines, after appropriate consultations, that the following conditions, listed in INA 207(b) exist:

- (1) An unforeseen emergency refugee situation exists;
- (2) The admission of certain refugees in response to the emergency refugee situation is justified by grave humanitarian concerns or is otherwise in the national interest; and
- (3) The admission to the United States of these refugees cannot be accomplished under the numbers set in the annual determination.